

HOUSE No. 2062

By Mrs. Canavan of Brockton, petition of Christine E. Canavan and others relative to the operation of vehicles upon the approach of an authorized emergency vehicle. Transportation.

The Commonwealth of Massachusetts

PETITION OF:

Christine E. Canavan	Kathi-Anne Reinstein
Jeffrey Davis Perry	Edward G. Connolly
Brian P. Lees	Anthony J. Verga
Cleon H. Turner	David L. Flynn

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE OPERATION OF VEHICLES UPON THE APPROACH
OF AN AUTHORIZED EMERGENCY VEHICLE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 89 of the General Laws is hereby amended by striking
2 out section 7A, as appearing in the 2002 Official Edition, and
3 inserting in place thereof the following section:—
4 Section 7A. (a) Upon the immediate approach of an authorized
5 emergency vehicle including any fire apparatus, police vehicle,
6 ambulance or disaster vehicles which is going to a fire or
7 responding to call, alarm or emergency situation, the driver of
8 every vehicle shall, when such emergency vehicle is giving
9 audible signals by siren, exhaust whistle, or other adequate
10 device, or visible signals by the use of displayed blue or red
11 lights, or amber or yellow rotating or flashing lights, yield the
12 right-of-way to the emergency vehicle and shall immediately pro-
13 ceed to a position parallel to, and as close as reasonable to the
14 closest edge of the curb of the roadway, clear of any intersection
15 and shall stop and remain in position until the authorized emer-
16 gency vehicle has passed, unless otherwise directed by any law
17 enforcement officer.

18 (b) When an authorized emergency vehicle making use of any
19 visual signals is parked or a wrecker displaying amber rotating or
20 flashing lights is performing a recovery or loading on the road-
21 side, the driver of every other vehicle, as soon as it is safe:

22 (1) Shall vacate the lane closest to the emergency vehicle or
23 wrecker when driving on an interstate highway or other highway
24 with two or more lanes traveling in the direction of the emergency
25 vehicle or wrecker, except when otherwise directed by a law
26 enforcement officer.

27 (2) Shall slow to a speed that is 20 miles per hour less than the
28 posted speed limit when the posted speed limit is 25 miles per
29 hour or greater; or travel at 5 miles per hour when the posted
30 speed limit is 20 miles per hour or less, when driving on a two-
31 lane road, except when otherwise directed by a law enforcement
32 officer.

33 (c) The Registry of Motor Vehicles shall provide an educational
34 awareness campaign informing the motoring public about the
35 Move Over Act. The registry shall provide information about the
36 Move Over Act in all newly printed driver's license educational
37 materials after July 1, 2005.

38 (d) Every pedestrian using the road right-of-way shall yield the
39 right-of-way until the authorized emergency vehicle has passed,
40 unless otherwise directed by any police officer.

41 (e) Any authorized emergency vehicle, when en route to meet
42 an existing emergency, shall warn all other vehicular traffic along
43 the emergency route by an audible signal, siren, exhaust whistle,
44 or other adequate device or by a visible signal by the use of dis-
45 played blue or red or yellow or amber lights. While en route to
46 such emergency, the emergency vehicle shall otherwise proceed in
47 a manner consistent with the laws regulating vehicular traffic
48 upon the highways of this state.

49 (f) No person shall drive a vehicle over a hose of a fire depart-
50 ment without the consent of a member of such department. No
51 person shall drive a vehicle within three hundred feet of any fire
52 apparatus going to a fire or responding to an alarm, nor drive said
53 vehicle, or park or leave the same unattended, within eight hun-
54 dred feet of a fire or within the fire lanes established by the fire
55 department, or upon or beside any traveled way, whether public or
56 private, leading to the scene of a fire, in such a manner as to

57 obstruct the approach to the fire of any fire apparatus or any
58 ambulance, safety or police vehicle, or of any vehicle bearing an
59 official fire or police department designation. Authorized police
60 or fire department personnel may tow a vehicle found to be in vio-
61 lation of the provisions of this section or which is illegally parked
62 or standing in a fire lane as established by the fire department,
63 whether or not a fire is in progress, and such personnel shall not
64 be subject to the provisions of section one hundred and twenty D
65 of chapter two hundred and sixty-six. No person shall operate a
66 motor vehicle behind any such fire apparatus, ambulance, safety
67 or police vehicle, or any vehicle bearing an official fire depart-
68 ment designation which is operating with emergency systems on,
69 for a distance of three hundred feet. Any person who violates the
70 provisions of this section shall be punished by a fine of no less
71 than one hundred dollars.

72 Nothing herein contained shall diminish or enlarge any rules of
73 evidence or liability in any case involving the operation of an
74 emergency vehicle. This section shall not operate to relieve the
75 driver of an authorized emergency vehicle from the duty to drive
76 with due regard for the safety of all persons using the highway.